

**REMARKS**

Claims 1-35 are currently pending in the application. Claim 10 was objected to because of informalities. Claim 10 has been amended to correct informalities. The Examiner rejected claims 1-35 under 35 U.S.C. 102(e) as being unpatentable over Sicola (U.S. 6,601,187).

Sicola describes a system having an "array controller" that is "capable of performing all data replication functions." (Abstract) "A dedicated link "is visible to the partner array controllers involved in data replication operations." (Abstract) Array controllers are "connected to storage arrays." (column 7, lines 3-5) Storage arrays "typically comprise a plurality of magnetic disk storage devices, but could also include or consist of other types of mass storage devices such as semiconductor memory." (column 7, lines 7-10) Array controllers connected to storage arrays are distinct and separate from fibre channel switches 205 and 215 (column 7, lines 10-7; Figure 2).

By contrast, independent claims 1, 13, and 27 recite a "fibre channel switch" including an "active supervisor" and a "standby supervisor." Sicolo does not describe any active supervisor or standby supervisor in a fibre channel switch. In fact, Sicolo does not describe high availability in fibre channel switches, but instead only describes redundant storage array controllers (column 7, lines 2-4) and redundant links to the storage array controllers (Figure 2). This is believed to be similar to what was described in the Background section of the present application. The independent claims, on the other hand, recite an "active supervisor" and a "standby supervisor" in a fibre channel switch." Providing high availability in a fibre channel switch is very different from providing redundant storage array controllers.

For example, implementations described in the Background section of the present application fail to preserve state information, causing slow network operation or reinitialization of applications." Sicolo explicitly describes this limitation. "At this time, all transfers in flight are discarded, and therefore discarded to the host. The host simply sees a controller failover at the host OS level, causing the OS to retry the operations to the partner controller." (column 5, lines 10-14) State information is explicitly recited in independent claim 13 and dependent claim 18.

Furthermore, independent claims also recite "determining high availability characteristics associated with the message, wherein high availability characteristics provide information for synchronizing a second application." Nothing in Sicolo teaches or suggests "determining high availability characteristics associated with the message" or "synchronizing a second application."

In view of the foregoing, Applicants believe all rejections to the independent claims have been overcome thereby placing all independent and dependent claims now pending in this application in condition for allowance. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at the number provided below.

Respectfully submitted,

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